

JS 44C/SDNY
REV. 5/2010

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS

DEFENDANTS

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

ATTORNEYS (IF KNOWN)

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

Has this or a similar case been previously filed in SDNY at any time? No ☐ Yes ☒ Judge Previously Assigned

If yes, was this case Vol. ☐ Invol. ☒ Dismissed. No ☐ Yes ☒ If yes, give date & Case No.

(PLACE AN [X] IN ONE BOX ONLY)

NATURE OF SUIT

ACTIONS UNDER STATUTES

TORTS		FORFEITURE/PENALTY		BANKRUPTCY		OTHER STATUTES	
CONTRACT	PERSONAL INJURY	PERSONAL INJURY	LABOR	LABOR	LABOR	LABOR	LABOR
<input type="checkbox"/> 110 INSURANCE	<input type="checkbox"/> 310 AIRPLANE	<input type="checkbox"/> 382 PERSONAL INJURY -	<input type="checkbox"/> 610 AGRICULTURE	<input checked="" type="checkbox"/> 422 APPEAL	<input type="checkbox"/> 422 APPEAL	<input type="checkbox"/> 400 STATE	<input type="checkbox"/> 400 STATE
<input type="checkbox"/> 120 MARINE	<input type="checkbox"/> 315 AIRPLANE PRODUCT	<input type="checkbox"/> 382 PERSONAL INJURY -	<input type="checkbox"/> 620 OTHER FOOD &	<input type="checkbox"/> 423 WITHDRAWAL	<input type="checkbox"/> 423 WITHDRAWAL	<input type="checkbox"/> 410 ANTI-TRUST	<input type="checkbox"/> 410 ANTI-TRUST
<input type="checkbox"/> 130 MILLER ACT	<input type="checkbox"/> 320 ASSAULT, LIBEL &	<input type="checkbox"/> 365 PERSONAL INJURY	<input type="checkbox"/> 625 DRUG RELATED	<input type="checkbox"/> 28 USC 158	<input type="checkbox"/> 28 USC 158	<input type="checkbox"/> 430 BANKS & BANKING	<input type="checkbox"/> 430 BANKS & BANKING
<input type="checkbox"/> 140 NEGOTIABLE	<input type="checkbox"/> 320 ASSAULT, LIBEL &	<input type="checkbox"/> 365 PERSONAL INJURY	<input type="checkbox"/> 625 DRUG RELATED	<input type="checkbox"/> 28 USC 157	<input type="checkbox"/> 28 USC 157	<input type="checkbox"/> 450 COMMERCE	<input type="checkbox"/> 450 COMMERCE
<input type="checkbox"/> 150 RECOVERY OF	<input type="checkbox"/> 330 FEDERAL	<input type="checkbox"/> 368 ASBESTOS PERSONAL	<input type="checkbox"/> 630 LIQUOR LAWS	PROPERTY RIGHTS	PROPERTY RIGHTS	<input type="checkbox"/> 460 DEPORTATION	<input type="checkbox"/> 460 DEPORTATION
<input type="checkbox"/> 150 RECOVERY OF	<input type="checkbox"/> 330 FEDERAL	<input type="checkbox"/> 368 ASBESTOS PERSONAL	<input type="checkbox"/> 640 RR & TRUCK	<input type="checkbox"/> 820 COPYRIGHTS	<input type="checkbox"/> 820 COPYRIGHTS	<input type="checkbox"/> 470 RACKETEER INFLU-	<input type="checkbox"/> 470 RACKETEER INFLU-
<input type="checkbox"/> 150 RECOVERY OF	<input type="checkbox"/> 330 FEDERAL	<input type="checkbox"/> 368 ASBESTOS PERSONAL	<input type="checkbox"/> 650 AIRLINE REGS	<input type="checkbox"/> 830 PATENT	<input type="checkbox"/> 830 PATENT	<input type="checkbox"/> 480 CONSUMER CREDIT	<input type="checkbox"/> 480 CONSUMER CREDIT
<input type="checkbox"/> 150 RECOVERY OF	<input type="checkbox"/> 330 FEDERAL	<input type="checkbox"/> 368 ASBESTOS PERSONAL	<input type="checkbox"/> 660 OCCUPATIONAL	<input type="checkbox"/> 840 TRADEMARK	<input type="checkbox"/> 840 TRADEMARK	<input type="checkbox"/> 490 CABLE/SATELLITE TV	<input type="checkbox"/> 490 CABLE/SATELLITE TV
<input type="checkbox"/> 150 RECOVERY OF	<input type="checkbox"/> 330 FEDERAL	<input type="checkbox"/> 368 ASBESTOS PERSONAL	<input type="checkbox"/> 690 OTHER	SOCIAL SECURITY	SOCIAL SECURITY	<input type="checkbox"/> 810 SELECTIVE SERVICE	<input type="checkbox"/> 810 SELECTIVE SERVICE
<input type="checkbox"/> 150 RECOVERY OF	<input type="checkbox"/> 330 FEDERAL	<input type="checkbox"/> 368 ASBESTOS PERSONAL	<input type="checkbox"/> 690 OTHER	<input type="checkbox"/> 861 HIA (1395ff)	<input type="checkbox"/> 861 HIA (1395ff)	<input type="checkbox"/> 850 SECURITIES/	<input type="checkbox"/> 850 SECURITIES/
<input type="checkbox"/> 150 RECOVERY OF	<input type="checkbox"/> 330 FEDERAL	<input type="checkbox"/> 368 ASBESTOS PERSONAL	<input type="checkbox"/> 690 OTHER	<input type="checkbox"/> 862 BLACK LUNG (923)	<input type="checkbox"/> 862 BLACK LUNG (923)	<input type="checkbox"/> 875 CUSTOMER	<input type="checkbox"/> 875 CUSTOMER
<input type="checkbox"/> 150 RECOVERY OF	<input type="checkbox"/> 330 FEDERAL	<input type="checkbox"/> 368 ASBESTOS PERSONAL	<input type="checkbox"/> 690 OTHER	<input type="checkbox"/> 863 DIWC/DIWW (405(g))	<input type="checkbox"/> 863 DIWC/DIWW (405(g))	<input type="checkbox"/> 880 OTHER STATUTORY	<input type="checkbox"/> 880 OTHER STATUTORY
<input type="checkbox"/> 150 RECOVERY OF	<input type="checkbox"/> 330 FEDERAL	<input type="checkbox"/> 368 ASBESTOS PERSONAL	<input type="checkbox"/> 690 OTHER	<input type="checkbox"/> 864 SSID TITLE XVI	<input type="checkbox"/> 864 SSID TITLE XVI	<input type="checkbox"/> 890 ACTIONS	<input type="checkbox"/> 890 ACTIONS
<input type="checkbox"/> 150 RECOVERY OF	<input type="checkbox"/> 330 FEDERAL	<input type="checkbox"/> 368 ASBESTOS PERSONAL	<input type="checkbox"/> 690 OTHER	<input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 891 AGRICULTURAL ACTS	<input type="checkbox"/> 891 AGRICULTURAL ACTS
<input type="checkbox"/> 150 RECOVERY OF	<input type="checkbox"/> 330 FEDERAL	<input type="checkbox"/> 368 ASBESTOS PERSONAL	<input type="checkbox"/> 690 OTHER	FEDERAL TAX SUITS	FEDERAL TAX SUITS	<input type="checkbox"/> 892 ECONOMIC	<input type="checkbox"/> 892 ECONOMIC
<input type="checkbox"/> 150 RECOVERY OF	<input type="checkbox"/> 330 FEDERAL	<input type="checkbox"/> 368 ASBESTOS PERSONAL	<input type="checkbox"/> 690 OTHER	<input type="checkbox"/> 870 TAXES (U.S. Plaintiff or	<input type="checkbox"/> 870 TAXES (U.S. Plaintiff or	<input type="checkbox"/> 893 ENVIRONMENTAL	<input type="checkbox"/> 893 ENVIRONMENTAL
<input type="checkbox"/> 150 RECOVERY OF	<input type="checkbox"/> 330 FEDERAL	<input type="checkbox"/> 368 ASBESTOS PERSONAL	<input type="checkbox"/> 690 OTHER	<input type="checkbox"/> 871 IRS-THIRD PARTY	<input type="checkbox"/> 871 IRS-THIRD PARTY	<input type="checkbox"/> 894 ENERGY	<input type="checkbox"/> 894 ENERGY
<input type="checkbox"/> 150 RECOVERY OF	<input type="checkbox"/> 330 FEDERAL	<input type="checkbox"/> 368 ASBESTOS PERSONAL	<input type="checkbox"/> 690 OTHER	<input type="checkbox"/> 26 USC 7609	<input type="checkbox"/> 26 USC 7609	<input type="checkbox"/> 895 FREEDOM OF	<input type="checkbox"/> 895 FREEDOM OF
<input type="checkbox"/> 150 RECOVERY OF	<input type="checkbox"/> 330 FEDERAL	<input type="checkbox"/> 368 ASBESTOS PERSONAL	<input type="checkbox"/> 690 OTHER	IMMIGRATION	IMMIGRATION	<input type="checkbox"/> 900 APPEAL OF FEE	<input type="checkbox"/> 900 APPEAL OF FEE
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<input type="checkbox"/> 150 RECOVERY OF	<input type="checkbox"/> 330 FEDERAL	<input type="checkbox"/> 368 ASBESTOS PERSONAL	<input type="checkbox"/> 690 OTHER	<input type="checkbox"/> 465 OTHER IMMIGRATION	<input type="checkbox"/> 465 OTHER IMMIGRATION	<input type="checkbox"/> 950 CONSTITUTIONALITY	<input type="checkbox"/> 950 CONSTITUTIONALITY
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<input type="checkbox"/> 150 RECOVERY OF	<input type="checkbox"/> 330 FEDERAL	<input type="checkbox"/> 368 ASBESTOS PERSONAL	<input type="checkbox"/> 690 OTHER	<input type="checkbox"/> 465 OTHER IMMIGRATION	<input type="checkbox"/> 465 OTHER IMMIGRATION	<input type="checkbox"/> 950 CONSTITUTIONALITY	<input type="checkbox"/> 950 CONSTITUTIONALITY
<input type="checkbox"/> 150 RECOVERY OF	<input type="checkbox"/> 330 FEDERAL	<input type="checkbox"/> 368 ASBESTOS PERSONAL	<input type="checkbox"/> 690 OTHER	<input type="checkbox"/> 465 OTHER IMMIGRATION	<input type="checkbox"/> 465 OTHER IMMIGRATION	<input type="checkbox"/> 950 CONSTITUTIONALITY	<input type="checkbox"/> 950 CONSTITUTIONALITY
<input type="checkbox"/> 1							

(PLACE AN x IN ONE BOX ONLY)

- ☐ 1 Original Proceeding ☐ 2a. Removed from State Court ☐ 3 Remanded from Appellate Court ☒ 4 Reinstated or Reopened ☐ 5 Transferred from (Specify District) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judge Judgment
- ☐ 2b. Removed from State Court AND at least one party is pro se.

(PLACE AN x IN ONE BOX ONLY)

- ☐ 1 U.S. PLAINTIFF ☐ 2 U.S. DEFENDANT ☐ 3 FEDERAL QUESTION (U.S. NOT A PARTY) ☐ 4 DIVERSITY

IF DIVERSITY, INDICATE
CITIZENSHIP BELOW.
(28 USC 1322, 1441)

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF [] 1	DEF [] 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF [] 3	DEF [] 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF [] 5	DEF [] 5
CITIZEN OF ANOTHER STATE	[] 2	[] 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[] 4	[] 4	FOREIGN NATION	[] 6	[] 6

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

William Kunz
705 1801
Manhasset, MA

Appellant

02574-1801

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

Lehman Brothers

Appellee

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

Check one: THIS ACTION SHOULD BE ASSIGNED TO: ☐ WHITE PLAINS ☒ MANHATTAN
(DO NOT check either box if this a PRISONER PETITION.)

DATE

SIGNATURE OF ATTORNEY OF RECORD

ADMITTED TO PRACTICE IN THIS DISTRICT

[] NO

[] YES (DATE ADMITTED Mo. ____ Yr. ____)

Attorney Bar Code #

RECEIPT #

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)